

RANCHO MURIETA COMMUNITY SERVICES DISTRICT

MEASURE J

YES	SPECIAL TAX
NO	Shall Ordinance No. 98-1, an ordinance of the Rancho Murieta Community Services District be approved authorizing a special tax for security services to fund continuation of security service by the District, including but not limited to operating 24-hour security gates, providing 24-hour mobile patrol, both 365 days a year, together with ancillary services including assistance to outside agencies, and other services authorized by the Board to protect its customers and their property?

COMPLETE TEXT OF MEASURE J

ORDINANCE NO. 98-1

Section 1.00. Findings.

The Board of Directors of the District hereby finds and declares that the District's ability to continue to provide security services depends on the availability of funds to support these services. The security services are a portion of the public safety or police services related to real property and provide for the security and protection of the real property and property owners within the District. The special tax levied herein, if approved by a two-thirds vote of the voters, will provide for a special and secure funding source to continue to provide security services.

Section 2.00. Authority.

This special tax is levied under each of the following authorities:

Government Code section 61615 which provides the District with the power to tax for the purpose of carrying out the operations of the District; Government Code section 61615.1 which authorizes the District to impose special taxes pursuant to Government Code section 50075, et seq.; Government Code section 50075 through section 50077 which authorizes special districts, among others, to impose special taxes; Government Code section 61622 which authorizes the District to perform all acts necessary to carry out fully the provisions of the Community Services District law; Government Code section 53978, et seq., which authorizes the District to impose a special tax for police protection services, which includes security services; and Article XIII of the California Constitution. This tax is based, to the extent practicable, upon the cost of providing security services to the properties within the District and is not an ad valorem property tax.

Section 3.00. Security Tax.

If approved by the voters, commencing July 1, 1998, property within the District shall be assessed a monthly security tax. The maximum tax rates shall be as listed in the tax rate statement.

Charges for property and/or units not identified herein shall be determined by the Board based upon the total actual cost of providing security services to that property or unit, not to exceed the maximum charge per lot, acre, or building square foot for property identified herein.

For the fiscal year beginning July 1, 1998, and annually thereafter, the District Board shall set the actual security tax for the applicable fiscal year. The actual security tax set by the Board shall not exceed the maximum tax rate set forth in this section as adjusted pursuant to section 5.00 of this Ordinance. If necessary to meet expenses, the Board may adjust the actual tax rate during a fiscal year so long as the actual tax rate does not exceed the maximum allowable tax rate.

Section 4.00. Collection.

The Security Tax shall be collected with other monthly District taxes, fees and/or charges and shall be subject to the same penalties for non-payment as other monthly District taxes, fees and/or charges.

Section 5.00. Annual Adjustment.

Commencing July 1, 1999 and each July 1 thereafter, the amounts specified in Section 3.00 shall be increased by two percent (2%) per year. The General Manager of the District shall maintain a current schedule of maximum tax rates based on the yearly increased specified herein and shall make the same available to any interested party upon request.

Section 6.00. Disposition of Revenue.

Revenues collected under the provisions of this Ordinance shall be deposited in a special fund called the Security Tax fund and shall be used only for the provision of security services within the District. Security services include:

- (a) Operating the security gates located at the entrances to Rancho Murieta, 24 hours a day, 365 days a year, including but not limited to staffing these gates;
- (b) Providing a 24 hour a day mobile patrol of the District and its boundaries;
- (c) Operating a radio communication system to maintain contact with external police, fire and other emergency services as well as the appropriate entities within the District;
- (d) Providing assistance to other agencies providing first aid, fire fighting, police and emergency services within the District;
- (e) Monitoring, controlling and registering guests or invitees of District customers and other visitors within the District;
- (f) Conducting such other activities as the Board in its discretion may authorize for the protection of District customers and their property; and
- (g) Other incidental costs of providing the services listed above.

Section 7.00. Effective Date.

This Ordinance shall take effect July 1, 1998.

Section 8.00. Suspension of Security Fee.

Upon the effective date of the levying of the tax established by the ordinance, and except as provided herein, the District shall suspend the collection of the security fee established in and collected under District Code Chapter 21, section 5.00. To the extent that a property or property owner is or becomes legally exempt from payment of the tax established in this Ordinance, such property and/or property owner shall remain subject to and shall pay the security fee established in and collected under District Code Chapter 21, section 5.00; and, to that extent, that security fee shall remain in effect.